



# City of NORFOLK

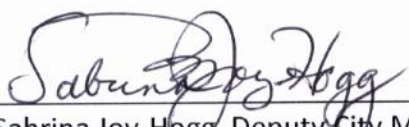
C: Dir., Department of General Services  
Dir., Department of Public Work

To the Honorable Council  
City of Norfolk, Virginia

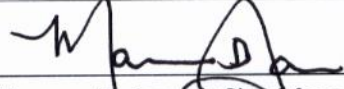
June 14, 2016

From: David S. Freeman, AICP,  
Director of General Services

**Subject:** Acquisition of Property  
located at 312 and 314 Brockwell  
Avenue

Reviewed:   
Sabrina Joy-Hogg, Deputy City Manager

**Ward/Superward:** 4/7

Approved:   
Marcus D. Jones, City Manager

**Item Number:** **R-22**

I. **Recommendation:** Adopt Ordinance

II. **Applicant:** City of Norfolk, Department of Public Works

III. **Description:**

This agenda item is an ordinance to approve the City of Norfolk's (the "city's") acquisition of real property owned by the Runnymede Corporation located at 312 and 314 Brockwell Avenue (the "properties"), for the purpose of constructing a retention pond.

IV. **Analysis**

The properties will be purchased to build a retention pond to allow the city to fix, repair, and maintain proper drainage in this area that has a history of drainage concerns. The *Code of Virginia* § 15.2-1901, §15.2-1901.1 and §15.2-2109 and *Norfolk City Charter* 2(5) provide the authority to purchase private property for public uses.

V. **Financial Impact**

FY2016 Assessed Value of Each Parcel	\$18,000.00 - 312 Brockwell Avenue \$18,000.00 - 314 Brockwell Avenue
Total Cost for Acquisition	Each parcel will sell for the assessed value plus \$5,000.00 per parcel for transactional costs. Combined total cost for this acquisition is \$46,000.00. (\$36,000.00 for the parcels plus \$10,000.00 for the transactional costs)
Typical Costs of Closing	Each party to this transaction shall pay its own legal fees.

**VI. Environmental**

There are no anticipated environmental impacts.

**VII. Community Outreach/Notification**

Public notification for this agenda item was conducted through the city's agenda notification process.

**VIII. Board/Commission Action**

N/A

**IX. Coordination/Outreach**

This letter and ordinance have been coordinated with the Department of General Services – Real Estate and the City Attorney's Office.

Supporting Material from the City Attorney's Office:

- Ordinance
- Exhibit Plat
- Legal Description

Form and Correctness Approved:

By

Office of the City Attorney

Contents Approved:

By

DEPT. General Services

Pursuant to Section 72 of the City Charter, I hereby certify that the money required for this item is in the city treasury to the credit of the fund from which it is drawn and not appropriated for any other purpose.

\$ 46,000

2300 - 35 - 010 - 712 - 5307

Director of Finance

Account  
5/31/16  
Date

NORFOLK, VIRGINIA

**ORDINANCE No.**

AN ORDINANCE FINDING A PUBLIC NECESSITY FOR THE ACQUISITION IN FEE SIMPLE OF CERTAIN PROPERTY LOCATED AT 312 AND 314 BROCKWELL AVENUE FOR THE PURPOSE OF CONSTRUCTION OF A RETENTION POND; APPROVING THE ACQUISITION OF THE PROPERTY BY PURCHASE AGREEMENT OR CONDEMNATION; AND AUTHORIZING THE EXPENDITURE OF A SUM OF UP TO \$46,000.00 FROM FUNDS HERETOFORE APPROPRIATED FOR ACQUISITION OF THE PROPERTY AND ALL RELATED TRANSACTIONAL COSTS.

- - -

WHEREAS, the City of Norfolk ("City") has identified a drainage issue at 312 and 314 Brockwell Avenue ("Property") and the surrounding area; and

WHEREAS, in order for the City to fix, repair and maintain proper drainage in the area, it will be necessary to construct a retention pond on the Property, said property being shown on Exhibit A and described in Exhibit B, attached hereto; and

WHEREAS, the City is empowered by the provisions of Virginia Code Sections 15.2-1901, 15.2-1901.1 and 15.2-2109 and by Norfolk City Charter Section 2(5) to acquire private property for public uses; and

WHEREAS, it is the judgment of the Council of the City



of Norfolk that the acquisition of the property is necessary to assist with drainage on and around the Property; and

WHEREAS, available property records indicate that the person or entity having an ownership or other possessory interest in the property to be acquired by the City is, at the time of the adoption of this ordinance, The Runnymede Corporation; now, therefore,

BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That pursuant to the provisions of Virginia Code Sections 15.2-1901, 15.2-1901.1 and 15.2-2109 and by Norfolk City Charter Section 2(5), the Council finds that the acquisition of the property shown on Exhibit A and described in Exhibit B is necessary for the purpose of building a retention pond to assist with drainage in the area.

Section 2:- That the acquisition of the said property upon such terms and conditions as the City Manager shall deem reasonable and in the best interest of the City is hereby authorized and approved.

Section 3:- That the City Manager is authorized to accept an appropriate deed in form satisfactory to the City Attorney, and to do all things necessary and proper for the acquisition of the property.

Section 4:- That the expenditure of the sum of up to \$46,000.00 from funds heretofore appropriated for the acquisition of the property, including all related transactional costs, is hereby authorized and approved.

Section 5:- That in the event the bona fide efforts to acquire the property by means other than condemnation are ineffectual, the City Manager and City Attorney be, and hereby are, authorized and directed to take such action as may be necessary to acquire the property including the institution of condemnation proceedings and the payment of compensation to the owner of the property to be acquired as well as any other persons

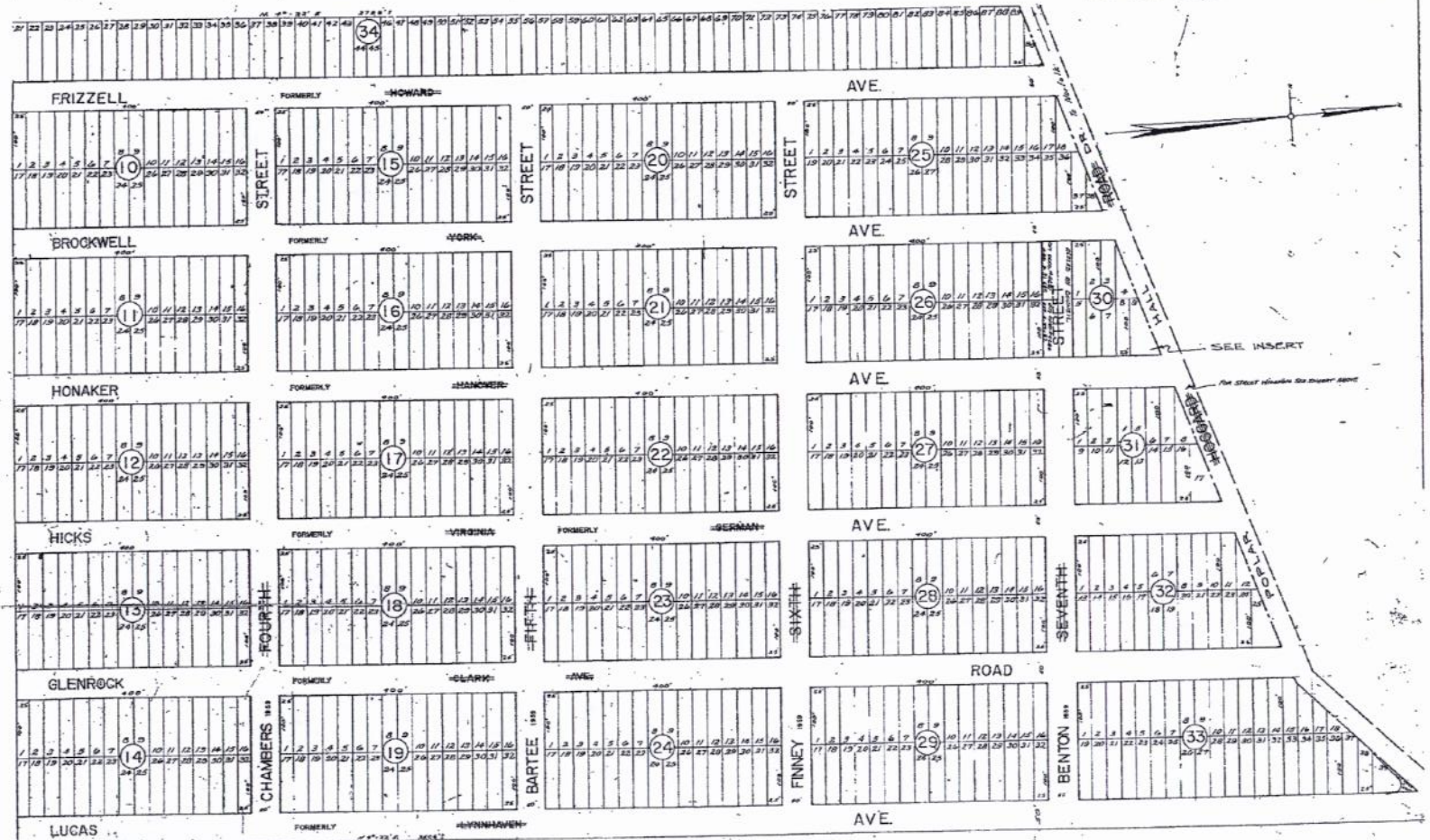
having an interest in such property. Based on information in available property records, the name of the owner of the property to be acquired by the City and the total estimated funds necessary to compensate the owner of the property are as follows:

The Runnymede Corporation - not less than \$36,000.00.

Section 6:- That this ordinance shall be in effect from and after its adoption.



M.B.3 P.135 (VA. BEACH)  
**GLENROCK**  
 PROPERTY OF  
 PRINCESS ANNE & NORFOLK LAND CO., INC.  
 EASTERN BRANCH ELIZABETH RIVER  
 1907  
 JAMES RIDDLE, ENGR  
 SCALE 1"=100 FT.



Virginia, City of Norfolk, to wit:  
 I, G. M. Payne a Notary Public in and for the Corporation aforesaid, do hereby certify that Fred R. Howard President of the Princess Anne and Norfolk Land Company, Inc. whose name is signed to the foregoing instrument has acknowledged the same before me in my office as aforesaid.  
 My commission expires on the 10th day of August 1910  
 Given under my hand this 22nd day of April 1907.

Virginia:  
 In the clerk's of Princess Anne Circuit Court  
 on the 27th day of April 1907, This Plat was received  
 and filed for record.  
 Teste: A. E. Keaton, C. C.  
 by: E. M. Seaton D. C.

**EXHIBIT B TO ORDINANCE**

**312 Brockwell Ave  
Lot 7, Block 16  
Glenrock**

A rectangular-shaped lot, piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, and being known, numbered and designated as Lot 7, in Block 16, being 25 feet in width along the eastern right-of-way of Brockwell Avenue and having a depth of 100 feet, as shown on that certain plat entitled, "Glenrock"; said plat being duly recorded on the 27<sup>th</sup> day of April, 1907, and is in the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia, in Map Book 3 at Page 135.

The above-described parcel contains 0.057 acre of land, more or less.

*March 25, 2016*

**314 Brockwell Ave  
Lot 8, Block 16  
Glenrock**

A rectangular-shaped lot, piece or parcel of land situate, lying and being in the City of Norfolk, Virginia, and being known, numbered and designated as Lot 8, in Block 16, being 25 feet in width along the eastern right-of-way of Brockwell Avenue and having a depth of 100 feet, as shown on that certain plat entitled, "Glenrock"; said plat being duly recorded on the 27<sup>th</sup> day of April, 1907, and is in the Clerk's Office of the Circuit Court of the City of Virginia Beach, Virginia, in Map Book 3 at Page 135.

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*March 25, 2016*